

PREFACE

The Operational Law Handbook is a “how to” guide for Judge Advocates practicing operational law. It provides references and describes tactics and techniques for the practice of operational law. It supports the doctrinal concepts and principles of FM 100-5 and FM 27-100. The Operational Law Handbook is not a substitute for official references. Like operational law itself, the Handbook is a focused collection of diverse legal and practical information. The handbook is not intended to provide “the school solution” to a particular problem, but to help judge advocates recognize, analyze, and resolve the problems they will encounter in the operational context.

The Handbook was designed and written for the Judge Advocates practicing operational law. The size and contents of the Handbook are controlled by this focus. Frequently, the authors were forced to strike a balance between the temptation to include more information and the need to retain the Handbook in its current size and configuration. Simply put, the Handbook, “cargo pocket sized” is made for the soldiers, marines, airmen, and sailors of the service judge advocate general’s corps, who serve alongside their clients in the operational context. Accordingly, the Operational Law Handbook is compatible with current joint and combined doctrine. Unless otherwise stated, masculine pronouns apply to both men and women.

The proponent for this publication is the International and Operational Law Department, The Judge Advocate General’s School (TJAGSA). Send comments, suggestions, and work product from the field to TJAGSA, International and Operational Law Department, Attention: LCDR William O’Brien, Charlottesville, Virginia 22903-1781. To gain more detailed information or to discuss an issue with the author of a particular chapter or appendix call LCDR O’Brien at DSN 934-7115, ext. 373; Commercial (434) 972-6373; or email William.obrien@hqda.army.mil.

The 2003 Operational Law Handbook is on the Internet at www.jagcnet.army.mil. After accessing this site, Enter JAGCNet, then go to the Operational Law sub-directory. The 2003 edition is also linked to the CLAMO General database under the keyword Operational Law Handbook – 2003 edition. The digital copies are particularly valuable research tools because they contain many hypertext links to the various treaties, statutes, DoD Directives/Instructions/Manuals, CJCS Instructions, Joint Publications, Army Regulations, and Field Manuals that are referenced in the text. If you find a blue link, click on it and Lotus Notes will retrieve the cited document from the Internet for you. The hypertext linking is an ongoing project and will only get better with time. A word of caution: some Internet links require that your computer contain Adobe Acrobat software.